

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA	:	CASE NO. 1:12CR171
	:	
<i>Plaintiff,</i>	:	JUDGE DONALD C. NUGENT
	:	
vs.	:	
	:	
JOHN W. MOORHEAD, II	:	
	:	
<i>Defendant.</i>	:	

**MOTION FOR CONTINUANCE OF TRIAL FOR
PERIOD OF TIME NOT TO EXCEED TWO WEEKS**

Now come the undersigned, Robert P. DeMarco and Joseph J. Triscaro, attorneys for Defendant John W. Moorhead, II, and move this Honorable Court to continue the Trial currently scheduled in the within case for Tuesday, October 16, 2012, at 8:30 a.m. The reason for this request is that Defendant's expert witness, Vestige Digital Investigations, and Greg Kelley, require the extra time to prepare a report and view the forensic images in the possession of the Government which were taken from Plaintiff's computers. Although the experts requested the images in a reasonable time, they were told by Mr. Sullin, who possesses the images, that the release must be coordinated with Toledo, accounting for a brief delay.

This Motion is not being interposed for delay but in the interest of justice, and the United States Attorney's Office does not object to the granting of the extra time.

WHEREFORE, Defendant respectfully requests a continuance of the Trial for a period not to exceed two weeks.

Respectfully submitted,

/S/ Robert P. DeMarco

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 3, 2012, a copy of the foregoing ***Motion for Continuance of Trial for Period of Time Not to Exceed Two Weeks*** was filed electronically. Notice of this filing will be sent by operation of the Court electronic filing system. Parties may access this filing through the Court's system.

/S/ Robert P. DeMarco

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